

N. A. Garner testifies by affidavit in substance as follows: -

"I have read the affidavit of George Epps, Jr.; I am the N.A.Garner referred to in his affidavit. I was with George Epps Jr. when he pointed out a man as having passed in Birmingham, Ala. under the name of Kelly. I am personally acquainted with the man pointed out by said George Epps and know the man to be C.W.Burke who has been working on the Frank case. I was also with George Epps and city detectives S.L.Rosser when said George Epps pointed out a man by the name of B.Bernard as being the man who represented himself to be the chief of detectives in Birmingham, Ala., a referred to in the affidavit of said Epps attached. I am personally acquainted with said Bernard and known that the man pointed out by said Epps as the chief of detectives of Birmingham is B. Bernard of Atlanta, Ga."